

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Eustace O. Uku
Debtor(s)

Bankruptcy Case No.: 20-21650-CMB
Per August 25, 2020 Proceeding
Chapter: 13
Docket No.: 35 - 2
Concil. Conf.: October 22, 2020 at 03:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 26, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 22, 2020 at 03:00 PM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 25, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Eustace O. Uku
 Debtor

Case No. 20-21650-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: gamr
 Form ID: 149

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 Total Noticed: 53

Date Rcvd: Aug 25, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 27, 2020.

db +Eustace O. Uku, 214 Farmington Road, Pittsburgh, PA 15215-1633
 cr +County of Allegheny, GRB Law, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 1251 Waterfront Place,
 Mezzanine Level, Pittsburgh, PA 15222-4227
 cr +PNC BANK NATIONAL ASSOCIATION, 1600 Market Street, 8th Floor,
 Philadelphia, PA 19103-7243
 cr +Penn Hills School District and Municipality of Pen, Tax Division,
 c/o Maiello, Brungo & Maiello, LLP, Foxpointe II, 100 Purity Rd, Ste. 3,
 Pittsburgh, PA 15235-4441
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15246912 +Allegheny County, John K. Weinstein, County Treasurer, Room 108 Courthouse,
 436 Grant Street, Pittsburgh, PA 15219-2429
 15246915 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, P.O. Box 982238, El Paso, TX 79998)
 15246914 +Bank of America, P.O. Box 31785, Tampa, FL 33631-3785
 15254204 Bank of America, N.A., PO BOX 31785, TAMPA, FL 33631-3785
 15246919 +Charles A. Knoll, 408 Beaver Street, Sewickley, PA 15143-1502
 15246920 +Charles A. Knoll, Jr., Esq., 408 1/2 Beaver Street, Sewickley, PA 15143-1502
 15246921 +Citi, P.O. Box 6190, Sioux Falls, SD 57117-6190
 15246923 +City of Clairton, 551 Ravensburg Blvd, Clairton, PA 15025-1297
 15246925 Commonwealth of PA, Department of Revenue, Bureau of Compliance, P.O. Box 280948,
 Harrisburg, PA 17128-0948
 15276937 +County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh PA 15219-6101
 15246926 +Credence Resource Management, P.O. Box 2300, Southgate, MI 48195-4300
 15264326 +Guardian Protection Services, 174 Thorn Hill Road, Warrendale, PA 15086-7528
 15246930 +Jennifer L. Cerce, Esq., Maiello, Brungo & Maiello, LLP, Southside Works,
 424 S. 27th Street, Ste 210, Pittsburgh, PA 15203-2380
 15246931 Jordan Tax Service, Inc., P.O. Box 200, Bethel Park, PA 15102-0200
 15246932 +Joshua A. Lyons, Esq., 301 Smithfield Street, Pittsburgh, PA 15222-2207
 15246933 +Katherine L. DiAmico, Esq., Portnoff Law Associates, Ltd., P.O. Box 391,
 Norristown, PA 19404-0391
 15276714 +Kristen Wetzel Ladd, P O BOX 515, WEST CHESTER, PA 19381-0515
 15246934 Kristen Wetzel Ladd, Esq., Unruh, Turner, Burke & Frees, P.C., P.O. Box 515,
 West Chester, PA 19381-0515
 15246935 +Michael G. McCabe, Esq., Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Pittsburgh, PA 15219-6107
 15246937 +Nissan-Infiniti LT, P.O. Box 660366, Dallas, TX 75266-0366
 15246941 PNC Bank, N.A., 1400 Market Street, Philadelphia, PA 19103
 15246940 +Penn Hills Township, 12000 Frankstown Road, 2nd Floor, Pittsburgh, PA 15235-3440
 15254087 +Penn Hills Municipality, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 15246938 +Penn Hills School & Municipal Tax Office, c/o Keystone Collections, 260 Aster Street,
 Pittsburgh, PA 15235-2060
 15254086 +Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 15246939 +Penn Hills School District, 12200 Garland Drive, Pittsburgh, PA 15235-3485
 15246942 +Shelley Fant, 821 Old Mill Road, Pittsburgh, PA 15238-1711
 15267420 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15266665 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com Aug 26 2020 03:51:37 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15246913 +E-mail/Text: ally@ebn.phinsolutions.com Aug 26 2020 03:50:28 Ally Financial,
 P.O. Box 380901, Bloomington, MN 55438-0901
 15249493 E-mail/Text: Bankruptcy.RI@Citizensbank.com Aug 26 2020 03:50:30 Citizens Bank N.A.,
 One Citizens Bank Way JCA115, Johnston, RI 02919
 15251773 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 26 2020 03:53:29
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15246917 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 26 2020 03:53:09
 Capital One Bank USA, N.A., P.O. Box 30258, Salt Lake City, UT 84130-0258
 15246916 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 26 2020 03:53:09
 Capital One Bank USA, N.A., P.O. Box 30281, Salt Lake City, UT 84130-0281
 15246918 +E-mail/Text: BKBCNMAIL@carringtonms.com Aug 26 2020 03:50:28 Carrington Mortgage Service,
 15 Enterprise Street, Aliso Viejo, CA 92656-2653
 15252151 +E-mail/Text: BKBCNMAIL@carringtonms.com Aug 26 2020 03:50:29
 Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
 15246922 +E-mail/Text: Bankruptcy.RI@Citizensbank.com Aug 26 2020 03:50:30 Citizens Bank,
 1000 Lafayette Blvd, Bridgeport, CT 06604-4725

District/off: 0315-2

User: gamr
Form ID: 149

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Total Noticed: 53

Date Rcvd: Aug 25, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15246924 E-mail/Text: documentfiling@lciinc.com Aug 26 2020 03:50:26 Comcast, P.O. Box 3002, Southeastern, PA 19398-3002
15246927 +E-mail/PDF: creditonebknotifications@resurgent.com Aug 26 2020 03:53:12 Credit One Bank, N.A., P.O. Box 98872, Las Vegas, NV 89193-8872
15246928 E-mail/Text: G06041@att.com Aug 26 2020 03:51:28 Directv, P.O. Box 5007, Carol Stream, IL 60197-5007
15246929 +E-mail/Text: bankruptcynotices@dcicollect.com Aug 26 2020 03:51:31 Diversified Consultants, P.O. Box 551268, Jacksonville, FL 32255-1268
15249573 E-mail/PDF: resurgentbknotifications@resurgent.com Aug 26 2020 03:54:00 LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15246936 +E-mail/Text: eschrecengost@pennhills.org Aug 26 2020 03:50:33 Municipality of Penn Hills, 12245 Frankstown Road, Pittsburgh, PA 15235-3405
15246944 E-mail/Text: appebnmailbox@sprint.com Aug 26 2020 03:51:02 Sprint, P.O. Box 4191, Carol Stream, IL 60197-4191
15246943 +E-mail/Text: bankruptcy@sw-credit.com Aug 26 2020 03:51:09 Southwest Credit Systems, 4120 International Parkway, Carrollton, TX 75007-1958
15270140 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 26 2020 03:53:40 Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
TOTAL: 18

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Charles A. Knoll, Jr.
cr Commonwealth of Pennsylvania, Department of Revenue
cr Deutsche Bank National Trust Company, as Indenture

TOTALS: 3, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 27, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 25, 2020 at the address(es) listed below:

Anthony T. Kovalchick on behalf of Creditor Dep't of Revenue Office of Attorney General
akovalchick@attorneygeneral.gov
Brian J. Bleasdale on behalf of Debtor Eustace O. Uku bleasdb@yahoo.com
Christos A. Katsaounis on behalf of Creditor Commonwealth of Pennsylvania, Department of
Revenue RA-occbankruptcy5@state.pa.us, RA-occbankruptcy6@state.pa.us
James Warmbrodt on behalf of Creditor Deutsche Bank National Trust Company, as Indenture
Trustee for New Century Home Equity Loan Trust 2004-1 bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Jennifer L. Cerce on behalf of Creditor Penn Hills School District and Municipality of Penn
Hills jlc@mbm-law.net
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Kristen Wetzel Ladd on behalf of Creditor PNC BANK NATIONAL ASSOCIATION kladd@utbf.com,
nanderson@utbf.com
Maurice A. Nernberg, Jr. on behalf of Creditor Charles A. Knoll, Jr. man@nernberg.com,
ems@nernberg.com;naoffice@nernberg.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 12